W.P.(S) No.6765 of 2004

In the matter of an application under Articles 226 of the Constitution of India.

Akhtar Hussain. ……. Petitioner.

-Versus-

The Singhbhum District Central Co-operative Bank Ltd. & Anr. ……. Respondents.

For the Petitioner : M/s K. M. Verma & M.M. Sharma, Advocates

For the Respondents : Mr. Krishna Murari, Advocates

P R E S E N T

HON'BLE MR. JUSTICE NARENDRA NATH TIWARI

BY COURT: When this case is taken up today, learned counsel for the petitioner submitted that certain factual aspects are also involved in the impugned order and in better interest of the petitioner, it is desirable to prefer appeal against the impugned order. Learned counsel seeks permission to withdraw this writ petition in order to assail the impugned order before the appellate authority.

Though the said prayer has come belatedly, this Court considering the facts and circumstances of the case accords permission to withdraw this writ petition for the purpose aforementioned.

Since the matter is quite old, if the appeal is filed within four weeks along with an application for condonation of delay, learned appellate authority shall pass appropriate order for condoning the delay, considering that the petitioner has been prosecuting this writ petition against the impugned order in this Court. Learned appellate authority shall try to dispose of the appeal on merit expeditiously taking into consideration that the petitioner is a retired and old person.

Accordingly, this writ petition is disposed of as withdrawn.

(Narendra Nath Tiwari, J.)

Jharkhand High Court
Ranchi
Dated 4th October, 2012
Sanjay/NAFR